

**MINUTES OF THE  
HAZARDOUS WASTE REGULATION AND TAX POLICY TASK FORCE**  
Tuesday, October 14, 2003 – 8:00 a.m. – Public Hearing, Room 129 State Capitol

**Members Present:**

Sen. Curtis S. Bramble, Senate Chair  
Rep. Stephen H. Urquhart, House Chair  
Sen. Patrice Arent  
Sen. Beverly Ann Evans  
Sen. Greg S. Bell  
Sen. Lyle W. Hillyard  
Sen. Scott K. Jenkins  
Rep. Eli H. Anderson  
Rep. Roger E. Barrus  
Rep. James A. Ferrin  
Rep. David L. Hogue  
Rep. Bradley T. Johnson

Rep. Patricia W. Jones  
Rep. Joseph G. Murray  
Rep. Merlynn T. Newbold

**Members Absent:**

Sen. Ron Allen  
Sen. B. Evans

**Staff Present:**

Mr. J Brian Allred, Policy Analyst  
Mr. Bryant R. Howe, Policy Analyst  
Mr. Robert H. Rees, Associate General Counsel  
Tracey Fredman, Legislative Secretary

**Note:** A list of others present and a copy of materials can be found at <http://le.utah.gov> or by contacting the Task Force secretary at 538-1032.

**1. Task Force Business**

Chair Urquhart called the meeting to order at 8:15 a.m.

**2. Task Force Responsibilities and Hearing Format**

Chair Urquhart reviewed the format that would be used for this public hearing.

**3. Public Comment**

The following people were sworn in by Mr. Allred prior to testifying to the Task Force:

Officer Brad Clayton, Utah Highway Patrol, gave a brief overview of the hazardous materials response team operated by the Utah Highway Patrol, and responded to questions from the Task Force.

Ms. Mary Draper, HEAL (Healthy Environment Alliance of Utah), spoke to the issue of disposing B and C radioactive waste in Utah and presented several questions that she felt the Task Force should address.

Mr. Jason Groenewold, HEAL/FAIR (Families Against Incinerator Risk), distributed "Should Utah accept higher-levels of radioactive waste?" and discussed the disposal of B and C radioactive waste in Utah, limiting both the types and amounts of radioactive materials allowed into the state, and waste tax and fee policies.

Ms. Claire Geddes distributed and discussed "Testimony of Claire Geddes" and spoke to regulatory, closure, and perpetual care issues.

Mr. Ralph Mabby, LeBoeuf, Lamb, Greene & MacRae L.L.P., responded to questions by the Task Force regarding letters of credit in favor of the Executive Secretary of the Utah Radiation Control Board. He stated that he had been retained by Envirocare and that in his opinion, the letters of credit would not be adversely affected if Envirocare declared bankruptcy.

Mr. Larry Shelton, Chief Financial Officer, SK Hart Management, discussed letters of credit.

Mr. Ken Alkema, Vice-President, Compliance and Licensing, Envirocare, stated that the letters of credit apply to closure and post closure.

Ms. Diane Melon, citizen, said the Task Force has an obligation to future generations not to make Utah the nuclear waste capitol of the United States.

Ms. Cindy King, volunteer, Utah Chapter of the Sierra Club, distributed and commented on her written statement regarding compliance issues at Envirocare and the evaluation and collection of fees.

Sammy Blackbear - Vice Chairman, Skull Valley Goshutes, asked if the Utah State Legislature would say no to allowing Envirocare to bring higher level nuclear waste into the state as vigilantly as they have previously prevented the Skull Valley Goshutes from doing the same.

Mr. Richard Wagner, citizen, asked the Task Force to represent the interests of the approximately 85% of people who oppose the storage of nuclear waste in our state.

Mr. James Webster, Environmental Planning Consultant, stated that he was opposed to radioactive waste disposal in Utah.

Mr. Allen Anderson, President, Chamber West, reminded the Task Force that Envirocare is a privately owned company and that the issue attributed to Initiative One, which was voted down, was that we not overly regulate or tax private business performing a service to the community.

Mr. Jay Vance, Chemical and Environmental Engineer, Envirocare, displayed a map indicating the thirteen states where radioactive wastes are disposed of in the United States. He stated that the bulk of radioactive wastes are not stored in Utah.

Mr. Alkema recommended a comparative risk analysis be initiated so that a more thorough assessment may be reviewed by the Task Force.

Mr. Dan Shrum, Envirocare, talked about the design, function, and monitoring at the Envirocare facility which prevents infiltration of water through the stored waste into the ground water.

Mr. Frank DeRosso, representing the Rocky Mountain Center for Occupational and Environmental Health, University of Utah, said that the resources are available through the University of Utah to perform a comparative risk analysis.

Mr. Robert Jacobs, citizen, spoke to the issue.

Mr. Richard Gregorson, commented on the possible long term environmental dangers associated with storage of nuclear waste materials.

Mr. Charles Judd, President, Cedar Mountain Environmental, discussed the subject of space requirements for storage facilities of hazardous waste in the future, and responded to questions from the Task Force.

Mr. Pete Litster, Shundahai Network, said the expansion of nuclear waste depositories could not only present health risks but could also have possible political consequences to Native American communities who are striving to protect their ancestral lands and who are currently prosecuting their claims in court.

Ms. Julie Gregerson, citizen, spoke in opposition to the disposal of B and C waste in Utah.

Ms. Cynthia Ofthedesert, Utah Peace Test, spoke in opposition to the disposal of B and C waste in Utah and advocated accepting no waste from anyone.

Mr. Brandon Gorrell, HEAL, expressed health and environmental concerns over possible accidents or leaking storage facilities.

Ms. Vanessa Pierce, HEAL, spoke in opposition to the disposal of B and C waste in Utah.

Ms. Sheila Gillman, realtor, commented that living in Utah seems to be less appealing to potential residents who may have concerns about environmental wastes.

Mr. Jeff Clapp, business owner, spoke in opposition to the disposal of B and C waste in Utah.

Reed Taft Jacobs, expressed concerns over the safety of waste transportation.

Ms. Beth Niederman, HEAL, spoke in opposition to the disposal of B and C waste in Utah.

Ms. Sue Corth, citizen, spoke in opposition to the disposal of B and C waste in Utah.

Mr. John Fruwen discussed trucking safety.

#### **4. Adjourn**

Chair Bramble adjourned the meeting at 12:20 p.m.